

Exhibit A

From: Valco, Nicole (Bay Area)
Sent: Wednesday, October 1, 2025 2:38 PM
To: Geoffrey Graber; Leslie Mitchell Kroeger; Charles Reichmann; Erin McCubbin; Shireen Hamdan; Meg Hartnett; Theodore Leopold; Eric Kafka; Karina Puttieva; Jenna Waldman; Madelyn Petersen
Cc: #C-M FB-SINGER - LW TEAM
Subject: RE: DZ Reserve v. Meta - Outreach to Advertiser Declarants
Attachments: 2025.10.01 Letter from N. Valco to R. Ventrice.pdf

Geoff,

We have not heard a response to my email. We request that you share immediately with another declarant, Renee Ventrice (tttreenee@yahoo.com), that Meta has identified her as a trial witness and pass along our letter to that effect. Please confirm that you have done so, or whether you are refusing as you have with the other five witnesses.

Meta also intends to file a motion concerning Class Counsel's refusal to inform these class members that they appear on the witness list and Meta's request to speak with them, or alternatively to provide consent for Meta's counsel to contact them directly. We propose the following briefing schedule, please let us know if Plaintiffs agree and we will prepare a stipulation:

- Motion 10/2
- Opp 10/8
- Reply 10/10
- Hearing 10/14 [outside presence of jury, if trial starts this day] or 10/16 if trial has not started

Regards,
Nicole

From: Valco, Nicole (Bay Area) <Nicole.Valco@lw.com>
Sent: Friday, September 26, 2025 8:15 PM
To: Geoffrey Graber <GGraber@cohenmilstein.com>; Leslie Mitchell Kroeger <LKroeger@cohenmilstein.com>; Charles Reichmann <Charles.reichmann@gmail.com>; Erin McCubbin <EMcCubbin@cohenmilstein.com>; Shireen Hamdan <shamdan@cohenmilstein.com>; Meg Hartnett <MHartnett@cohenmilstein.com>; Theodore Leopold <tleopold@cohenmilstein.com>; Eric Kafka <EKafka@cohenmilstein.com>; Karina Puttieva <KPuttieva@cohenmilstein.com>; Jenna Waldman <jwaldman@cohenmilstein.com>; Madelyn Petersen <mpetersen@cohenmilstein.com>
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Subject: RE: DZ Reserve v. Meta - Outreach to Advertiser Declarants

Geoff,

The Court did not rule on this issue at the pretrial conference. In fact, he rejected Plaintiffs' motion to exclude these declarant-witnesses and deferred the issue to trial, stating "I can't tell in advance" and "you have got to show me when you get there." (9/18/25 Hr'g Tr. at 32:22-33:15.) At no point did he instruct Meta to file a motion,

and your suggestion that Meta needs to ask the Court for permission goes against his direction that *Plaintiffs* should raise any objections to witnesses at trial.

Two of the declarants (Phil Davis and Lauren Novak) are not class members, and Meta intends to bring them to trial. As with the other declarants, they were disclosed to Plaintiffs during the class certification phase in May 2021. Despite knowing about them for more than four years, Plaintiffs have made no efforts to take their depositions. We even invited you to take their depositions in advance of the trial, but you rejected that invitation. The invitation remains open.

Meta has not violated any ethical obligations, including with respect to Josh Flanders, Adam Hampton, Sarah Lowe, Wendy Pettys, and Lamesha Davis. Class Counsel, on the other hand, are required at the very least to share our letters with these witnesses, who already voluntarily submitted declarations in this case and thus indicated their willingness and desire to participate. Your refusal to do so violates Class Counsel's obligations to consult with your clients concerning significant developments relating to the representation and to permit each client to make informed decisions regarding the representation. See California Rules of Professional Conduct 1.2, 1.4.

Meta intends to continue to do what it can to bring these witnesses to trial, consistent with its ethical obligations, and with or without your cooperation. Please confirm by Monday, September 29 whether Plaintiffs are willing to discuss the issue further in light of these clarifications.

Regards,
Nicole

From: Geoffrey Graber <GGraber@cohenmilstein.com>

Sent: Friday, September 26, 2025 11:33 AM

To: Valco, Nicole (Bay Area) <Nicole.Valco@lw.com>; Leslie Mitchell Kroeger <LKroeger@cohenmilstein.com>; Charles Reichmann <Charles.reichmann@gmail.com>; Erin McCubbin <EMcCubbin@cohenmilstein.com>; Shireen Hamdan <shamdan@cohenmilstein.com>; Meg Hartnett <MHartnett@cohenmilstein.com>; Theodore Leopold <tleopold@cohenmilstein.com>; Eric Kafka <EKafka@cohenmilstein.com>; Karina Puttieva <KPuttieva@cohenmilstein.com>; Jenna Waldman <jwaldman@cohenmilstein.com>; Madelyn Petersen <mpetersen@cohenmilstein.com>

Cc: #C-M FB-SINGER - LW TEAM <FB-SINGER.LWTEAM@lw.com>

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Nicole,

Thanks for your message. As you may recall, at the pretrial conference, Judge Donato explained that the parties cannot call witnesses who were not timely disclosed; "[i]f you didn't produce on time, it's out." (9/18/25 Hearing Transcript, 32:24.) The purported declarants you reference below were first disclosed seven months after the close of fact discovery. The appropriate next step, therefore, is for Meta to ask the Court for permission to call these late disclosed witnesses. If the Court determines that Meta may call these purported declarants, notwithstanding the untimeliness of their disclosure, we will then of course be happy to discuss this matter further.

In the meantime, please confirm that neither you, nor anyone at Latham & Watkins or at Meta, or anyone acting on behalf of Meta, has contacted the purported declarants referenced below or any other member of the class about this litigation. Please confirm that by COB on Monday, September 29, 2025.

Thanks,

-Geoff

Geoffrey Graber

Partner

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This e-mail was sent from Cohen Milstein Sellers & Toll PLLC. It may contain information that is privileged and confidential. If you suspect that you were not intended to receive it, please delete it and notify us as soon as possible.

From: Nicole.Valco@lw.com <Nicole.Valco@lw.com>

Sent: Tuesday, September 23, 2025 6:47 PM

To: Geoffrey Graber <GGraber@cohenmilstein.com>; Leslie Mitchell Kroeger <LKroeger@cohenmilstein.com>; Charles Reichmann <Charles.reichmann@gmail.com>; Erin McCubbin <EMcCubbin@cohenmilstein.com>; Shireen Hamdan <shamdan@cohenmilstein.com>; Meg Hartnett <MHartnett@cohenmilstein.com>; Theodore Leopold <tleopold@cohenmilstein.com>; Eric Kafka <EKafka@cohenmilstein.com>; Karina Puttieva <KPuttieva@cohenmilstein.com>; Jenna Waldman <jwaldman@cohenmilstein.com>; Madelyn Petersen <mpetersen@cohenmilstein.com>

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Geoff –

I'm attaching three additional letters to Sarah Lowe (artcellarhouston@gmail.com), Wendy Pettys (wpettys@tampabay.rr.com), and Lamesha Davis (lamesha17@gmail.com). Please provide permission for us to reach out directly to them or, as requested below, also forward these communications to them by Thursday, September 25.

Regards,
Nicole

From: Valco, Nicole (Bay Area) <Nicole.Valco@lw.com>

Sent: Monday, September 22, 2025 9:55 AM

To: Geoffrey Graber <GGraber@cohenmilstein.com>; Leslie Mitchell Kroeger <LKroeger@cohenmilstein.com>; Charles Reichmann <Charles.reichmann@gmail.com>; Erin McCubbin <EMcCubbin@cohenmilstein.com>; Shireen Hamdan <shamdan@cohenmilstein.com>; Meg Hartnett <MHartnett@cohenmilstein.com>; Theodore Leopold <tleopold@cohenmilstein.com>; Eric Kafka <EKafka@cohenmilstein.com>; Karina Puttieva <KPuttieva@cohenmilstein.com>; Jenna Waldman <jwaldman@cohenmilstein.com>; Madelyn Petersen <mpetersen@cohenmilstein.com>

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Geoff –

I am writing regarding outreach to the advertiser declarants in this matter who are still affiliated with members of the class. As you know, these declarants are differently situated than most of the absent class members, as they were willing to participate in the litigation and share their views as advertisers by submitting declarations previously.

Given their prior involvement in this matter, and the importance of their views to the issues that the jury will need to resolve in this case, we kindly request that you provide permission for us to reach out directly to them. We are happy to include you in those communications as well if you wish. If you are not willing to let us reach out to them directly, please forward the attached communications to Josh Flanders (joshflanders@gmail.com) and Adam Hampton (adamhamptondesigns@gmail.com), respectively by Thursday, September 25, so that they can make an informed decision regarding whether they would like to speak with us.

We trust that, as counsel to the class, you wish to make sure all class members' views are considered and interests are appropriately represented—and that you will therefore either allow us to speak with the declarants or promptly provide them with our letters. If you are not willing to do so, please let us know promptly so that we take appropriate further steps.

Regards,
Nicole

Nicole C. Valco

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